

Copyright Royalty Judges

Washington, D.C.

Distribution of Satellite Royalty Funds

Dkt. No. 16-CRB-0010 SD

(2014-2017)

**Immediate Breach motion reconsideration to Joint Opposition Allocation Phase
Parties False Statements and Sham Pleadings Sua Sponte Coercive Relief Damages
Granted**

Pursuant to section 119, Circle God Network Inc. (members) d/b/a David Powell Full and Literal Proof credible corroborating evidence Proved Up. A Standing and Third Party Standing actual specific injury Zone of Interest challenged and showned. Pro Se controverted Bursting Bubble Theory contradicted by credible evidence. Allocation Phase Parties presumed facts which disappears w/ false statements in 9-11-19 letter and prior pleadings, a chilling effects.

Proved Up swindlers Theft by Deception under false pretext indentified in current and past Royalty Distribution claims. Thru manipulated repeated malice vexation pattern of Monopoly Power and Leveraging. Pro Se Exclusion criminal coercion intimidation, duress, force, and emotion distress of claimant CGN Inc.(members) d/b/a David Powell w/ fabricated evidence faint pleader sham pleadings in the Zone of Danger Rule.

Repeated (RICO) racketeering pattern necessary implication to implicated Admission by Silence. Joint Allocation Phase Parties, Program Specialist employees and computer staff support department(s) nondisclosure facilitation concealment aid and abet.

Seven Joint coconspirator(s) allocation phase parties and allied offenses Program Specialist and computer staff support department negative acts forbearance immediate breach. To deny known false statements as untrue towards Pro Se Exclusion from satellite distribution money royalty funds while being on satellite claims list 2014-2017.

Vexatious affirmative wanton willful misconduct causing actual specific injury spoliation as unfavorable documents. Bad motives revendication formal claim of ultimate facts Dec. 7, 2018, 8-23-19, and 9-11-19 letters matter of record (see att.). A continuing quasi offenses retaliatory conduct predatory pervasive pattern. To include Officers of the Court Anti competitive conduct w/ Joint Allocation Phase Parties exclusion in the Zone of Danger area frightened by the risk of harm.

Thus Pro Se Proved up by judges order 8-23-19 clarity relief sought how, why, and on the basis grounds Actual and Intrinsic Fraud Legal Prejudice. On the basis 9-11-19 letter introduction of fabricated evidence Fraud on the Court to mislead Judges decision through fraudulent misrepresentation. By the aforementioned identified (Pinkerton Rule) permanent Joint trespass criminal intent repeated pattern complicity aid and abet w/ wire, oral, electronic interception.

Inescapable peril from swindlers retaliatory pattern repeated conduct Missing Evidence Rule suppression of document physical evidence nondisclosure to Royalty Judges for their determination. Withholding evidence of Pro Se timely filed EFT and signed

repayment agreement(s) to received 5% distribution Payment from the common Agent to claimants from Commissioner of Baseball. Thus Pro Se claimant(s) is entitled to Distribution in arrears prior years since 2002 as Coercive Relief Damages (Sham Exception) Noerr-Pennington Doctrine (intent).

On the repeated basis of ultimate facts special findings of facts theft under false pretext and deception. To include causation existed Active, Fraudulent, and Passive Concealment ongoing pattern chain monopolium seditious conspiracy. To destroy any and all Pro Se claimant(s) competition for Royalty money distribution in any all proceedings for forever to include Music Claimants 5% and Dart 2% Royalty distribution.

Thru officers of the court swindlers Abuse of Power not to send EFT and Repayment Agreement forms w/ Pro Se name on list to sign as recipient claimant agent. Criminal intent computer internet, political, corporate, administrative, and hate crimes conspiracy; and Pro Se cannot exercise his right to Appeal decision. Thus, Proved Up mail and wire fraud repeated pattern to gain an economical advantage. Means, motive, and opportunity aid and abet 7 Joint Allocation Phase Parties and Officers of the Court to eliminate exclusion all Pro Se and minority entitlement claimants as myself forever from competition. (title 18 ch. 119 section 2510-2522 electronic communication interception)

Using repeated false statements fabricated evidence saying Pro Se state of mind incoherent pleadings defamatory Pro Se reputation. Retaliatory conduct reckless disregard

causing malicious reparable specific injury in fact malice and deceit. The 7 Joint Allocation Phase Parties cannot recant Affirmative misconduct on basis Equitable and Judicial Estoppel. On grounds false language and malicious accusation legal prejudice and Class Based-Animus civil rights conspiracy 9-11-19, and 8-6-19, letters w/o Judges decision to return repayment agreement and EFT forms in writing by Anita Blaine repeated pattern.

Necessary implication implicated aforementioned, Pro Se inescapable peril suppression of incriminating evidence nondisclosure repeated pattern deliberately. Accomplice liability complicity before, during, and after 7 Allocation Phase Parties 9-11-19 ltr. and Program Specialist Anita Blaine 8-6-19 ltr. received 7-24-19 aid and abet cahoots w/ eft and repayment agreement forms return Proved Up.

Impugn truth of monopoly veracity challenged called into question. Causation existed of Legal Prejudice pattern occurred. On basis grounds pro se written direct statements credible rebuttle inculpatory direct evidence of monopoly power. To sufficiently established facts of a Prima Facie rebuttle case. That Pro Se through racketeering predatory pattern being blacklisted, blackballed, w/ bias exclusion to Royalty distribution.

Full and Literal Proof of legal prejudice shown w/ bias and malice a standing and third party standing a legal claim w/ judicial enforcement. Showed caused challenged conduct has caused actual specific injury and interest sought to be protected is within Zone of Interest of Administrative Agency. To include Zone of Danger Rule created in dangerous

area with the risk of harm to pro se victim. On basis grounds of vexation predatory specific injury damaged suffered as a result of aforementioned Principal in the First Degree trickery and malice. Vexatious conduct w/o reasonable probable cause and or excuse harassing and annoying victims participants immediate breach for damages.

In conclusion, Joint opposition Allocation Phase Parties 9-11-19 reply letter. Is a sham pleadings, faint pleader with repeated false statements 18 USCA ss.1801 documents concealing wrongdoing of many material facts to mislead Royalty Judges decision. Now a matter of record complicity for criminal coercion withholding or not taking official action on behalf of victims. The Joint opposition Parties fraud on the court 9-11-19 letter lacks due diligence and is baseless, w/o merit, and moot. Lacks of legally sufficient evidentry basis for a fact finder Judges to rule in Joint opposition Parties favor. A sham exception to harm all and any pro se (myself) Exclusion participant competition in Royalty Distribution Funds ever. A Anti Competitive conduct permanent Exclusion. Noerr Pennington Doctrine United Mine Workers vs. Pennington, 381 U.S. 657, 85 S.Ct. 1585 (1965).

A declaration in chief 50 USCA ss. 746 counter affidavit counterclaim for Coercive Relief requested motion. A proposed order is forthcoming Based on Proved Up specific injury in fact basis grounds criminal intent monopoly power criminal anarchy 18 USCA ss. 2385, 2384 crime fraud exception Clark vs. U.S., 289 U.S. 1, 53 S. Ct. 465 (1933).

Prove Up again hot documents smoking gun identified on Satellite Claim List (2014-2017) stating in agreement for partial distribution(Pro Se 5%) 2016, 2017 and dated 8-15-19 letter 2015 matter of record Royalty Funds. A timely filed 8-9-19 comment before 8-15-19 deadline to include added as 8th designated recipient agent (first pro se setting precedent) Allocation Phase (Settling) Parties Participants signing EFT and repayment agreement permanently and retroactive. For in arrears damages (2002- currently) and defamatory reputation immediate breach sua sponte \$ 2 billion dollars 8-27-19 motion and proposed order Granted. For repeated predatory (RICO) racketeering pattern acts ongoing inescapable peril from pro se exclusion submission to a special finding of facts spoliation with clarity how, why, and on basis of Declaration on record proved up legal prejudice in the Zone of Danger Rule.

Pro Se demand of oyer to inspect and read documents offer of proof by officers of the court and 7 Joint Allocation Phase Parties. To produce in court all documents relied on in sham pleadings profert exigent before 9-26-19 deadline for royalty distribution. Title 18 chapter 119 section 2510-2522 Wire and Electronic Communication Interception and Interception of oral Communication. Motion and proposed order Granted recovery of civil damaged authorization \$ 2 billion dollars section 2520; Injunction against illegal interception section 2521; Enforcement of the Communication Assistance for Law Enforcement Act section 2522.

Respectfully submitted,

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of September, 2019, a copy of the foregoing Joint Opposition of the Allocation Phase Claimants to David Powell's August 27, 2019 Motion was filed electronically using eCRB, which will automatically provide electronic service copies to all counsel of record who are registered to use eCRB. *See* 37 C.F.R. § 303.6(h)(1).

/s/ Michael Kientzle
Michael Kientzle

I hereby certify that on September 21, 2019 I provided a reply true and correct copy of this this letter to the following:

Broadcaster Claimants Group, represented by John Stewart, served via Electronic Service at jstewart@crowell.com

Broadcast Music, Inc., represented by Jennifer T. Criss, served via Electronic Service at jennifer.criss@dbi.com

Devotional Claimants, represented by Arnold P Lutzker, served via Electronic Service at arnie@lutzker.com

Global Music Rights, LLC, represented by Scott A Zebrak, served via Electronic Service at scott@oandzlaw.com

Multigroup Claimants, represented by Brian D Boydston, served via Electronic Service at brianb@ix.netcom.com

SESAC Performing Rights, LLC, represented by John C. Beiter, served via Electronic Service at john@beiterlaw.com

Program Suppliers, represented by Gregory O Olaniran, served via Electronic Service at goo@msk.com

circle god network inc d/b/a david powell, represented by david powell, served via Electronic Service at davidpowell008@yahoo.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via Electronic Service at ted@copyrightroyalties.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via Electronic Service at smosenkis@ascap.com

Signed: /s/ David Powell, Pro Se

Proof of Delivery

I hereby certify that on Saturday, September 28, 2019, I provided a true and correct copy of the Immediate Breach motion reconsideration to Joint Opposition Allocation Phase Parties False Statements and Sham Pleadings Sua Sponte Coercive Relief damages Granted to the following:

Joint Sports Claimants, represented by Robert A Garrett, served via Electronic Service at robert.garrett@apks.com

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Signed: /s/ david powell